

114TH CONGRESS  
1ST SESSION

# H. R. 1639

To amend the charter school programs under the Elementary and Secondary Education Act of 1965.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2015

Mr. TAKANO introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the charter school programs under the Elementary and Secondary Education Act of 1965.

1       *Be it enacted by the Senate and House of Representa-  
2 tives of the United States of America in Congress assembled,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Charter School Trans-  
5 parency, Accountability, and Quality Act”.

**6 SEC. 2. REFERENCES.**

7       Except as otherwise expressly provided, whenever in  
8 this Act an amendment or repeal is expressed in terms  
9 of an amendment to, or repeal of, a section or other provi-  
10 sion, the reference shall be considered to be made to a

1 section or other provision of the Elementary and Sec-  
2 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

3 **SEC. 3. STATE PLANS.**

4 Section 1111(c) (20 U.S.C. 6311(c)) is amended—

5 (1) in paragraph (13), by striking “and” at the  
6 end;

7 (2) in paragraph (14) by striking the period at  
8 the end and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(15) any State educational agency with a  
11 charter school law will support high-quality public  
12 charter schools that receive funds under this title  
13 by—

14 “(A) ensuring the quality of the authorized  
15 public chartering agencies in the State by es-  
16 tablishing—

17 “(i) a system of periodic evaluation  
18 and certification of public chartering agen-  
19 cies using nationally recognized profes-  
20 sional standards; or

21 “(ii) a statewide, independent char-  
22 tering agency that meets nationally recog-  
23 nized professional standards; and

1               “(B) including in the procedure established  
2               pursuant to subparagraph (A) requirements  
3               for—

4               “(i) the annual filing and public re-  
5               porting of independently audited financial  
6               statements including disclosure of amount  
7               and duration of any nonpublic financial  
8               and in-kind contributions of support, by  
9               each public chartering agency, for each  
10               school authorized by such agency, and by  
11               each local educational agency and the  
12               State;

13               “(ii) the adoption and enforcement of  
14               employee compensation and conflict of in-  
15               terest guidelines for all schools authorized,  
16               which shall include disclosure of executive  
17               pay and affiliated parties with a financial  
18               interest in the management, operations, or  
19               contractual obligations of a charter school;  
20               and

21               “(iii) a legally binding charter or per-  
22               formance contract between each charter  
23               school and the school’s authorized public  
24               chartering agency that—

1                         “(I) describes the rights, duties,  
2                         and remedies of the school and the  
3                         public chartering agency; and

4                         “(II) for each student subgroup  
5                         described in subsection (b)(2)(C)(v),  
6                         bases charter renewal and revocation  
7                         decisions on an accountability plan  
8                         based on the statewide State account-  
9                         ability system described in section  
10                         1111(b)(2).”.

11 **SEC. 4. PURPOSE.**

12                         Section 5201 (20 U.S.C. 7221) is amended—

13                         (1) by striking “and” at the end of paragraph  
14                         (3);

15                         (2) by striking the period at the end of para-  
16                         graph (4) and inserting “; and”; and

17                         (3) by adding at end the following:

18                         “(5) carrying out national activities to sup-  
19                         port—

20                         “(A) stronger charter school authorizing;  
21                         and

22                         “(B) the dissemination of best practices of  
23                         charter schools for all schools.”.

24 **SEC. 5. APPLICATIONS.**

25                         Section 5203 (20 U.S.C. 7221b) is amended—

- 1                             (1) in subsection (b)(2)—  
2                                 (A) by striking “and” at the end of sub-  
3                                 paragraph (B);  
4                                 (B) by striking “and” at the end of sub-  
5                                 paragraph (C);  
6                                 (C) by adding at the end the following:  
7                                 “(D) will ensure that each charter school  
8                                 in the State makes publicly available informa-  
9                                 tion on student support services, and annual  
10                                performance and enrollment data disaggregated  
11                                by the categories of students identified in sec-  
12                                tion 1111(b)(2)(C)(v), except that such  
13                                disaggregation shall not be required in a case in  
14                                which the number of students in a category is  
15                                insufficient to yield statistically reliable infor-  
16                                mation or the results would reveal personally  
17                                identifiable information about an individual stu-  
18                                dent;  
19                                 “(E) will ensure that each charter school  
20                                board in the State has the right to provide fis-  
21                                cal oversight of the education management or-  
22                                ganization that it contracts with;  
23                                 “(F) will work with charter schools in the  
24                                State on efforts to recruit students who may  
25                                otherwise have limited opportunities to partici-

1 pate in charter schools and eliminate barriers to  
2 enrollment, including for educationally dis-  
3 advantaged students, foster youth, and unac-  
4 companied homeless youth;

5 “(G) will ensure that each charter school  
6 receiving funds under the State educational  
7 agency’s charter school grant program meet the  
8 educational needs of its students, including stu-  
9 dents with disabilities and English learners;

10 “(H) will provide technical assistance to  
11 each charter school to recruit, enroll, and retain  
12 traditionally underserved students, including  
13 students with disabilities and English learners,  
14 at rates similar to traditional public schools;  
15 and

16 “(I) will share best and promising prac-  
17 tices between charter schools and other public  
18 schools, including, where appropriate, instruc-  
19 tion and professional development in core aca-  
20 demic subjects, and science, technology, engi-  
21 neering, and math education; and”; and

22 (2) by adding at the end the following:

23 “(e) RULE OF CONSTRUCTION.—Nothing in this sub-  
24 part shall prohibit the Secretary from awarding grants to  
25 State educational agencies under this part that use a

1 weighted lottery to give slightly better chances for admis-  
2 sion to all, or a subset of, educationally disadvantaged stu-  
3 dents if—

4           “(1) the use of weighted lotteries in favor of  
5 such students is not prohibited by State law, and  
6 such State law is consistent with laws described in  
7 section 5210(1)(G); and

8           “(2) such weighted lotteries are not used for  
9 the purpose of creating schools exclusively to serve  
10 a particular subset of students.”.

11 **SEC. 6. ADMINISTRATION.**

12       Section 5204(f)(6)(A) (20 U.S.C. 7221c(f)(6)(A)) is  
13 amended—

14           (1) by striking “and” at the end of clause (ii);

15           (2) by striking the period at the end of clause  
16 (iii); and

17           (3) by adding at the end the following:

18                  “(iv) community involvement during  
19                  the development and operation of the  
20                  school;

21                  “(v) has had 3 successful consecutive  
22                  annual audits that have not indicated fiscal  
23                  difficulties as defined by typical accounting  
24                  standards; and

1                         “(vi) has maintained a student popu-  
2                         lation demographically similar to the local  
3                         educational agency that is closest geo-  
4                         graphically to the charter school or in  
5                         which the charter school is located.”.

6 **SEC. 7. NATIONAL ACTIVITIES.**

7                         Section 5205(a)(2) (20 U.S.C. 7221d(a)(2))—

8                         (1) in the matter preceding subparagraph (A),  
9                         by inserting “and the local educational agency that  
10                         is closest geographically to the charter school or in  
11                         which the charter school is located” before “, includ-  
12                         ing information regarding”;

13                         (2) by striking “and” at the end of subpara-  
14                         graph (A);

15                         (3) by striking the period at the end of sub-  
16                         paragraph (B) and inserting a semicolon; and

17                         (4) by adding at the end the following:

18                         “(C) the impact of charter schools on the  
19                         finances of local educational agencies;

20                         “(D) demographic trends in enrollment in  
21                         both the traditional public school and charter  
22                         school sectors;

23                         “(E) increasing or easing segregation of  
24                         students within the two sectors; and

1           “(F) the representation of students with  
2           special needs in either sector.”.

